

2007 WL 7293363 (Ala.Cir.Ct.) (Trial Pleading)
Circuit Court of Alabama.
Etowah County

Roger WELLS, Administrator of the Estate of Sarah Frances Wells, Petitioner,

v.

Howard WELLS, and fictitious parties A through Z. whose true identities
are unknown, but will revealed when they are ascertained, Defendant.

No. CV-07-893 DAK.
December 4, 2007.

Complaint

[Dani V. Bone](#), Attorney for Plaintiff, 1031 Forrest Avenue, P.O. Box 1278, Gadsden, AL 35902-1278, (256) 547-1005.

PARTIES

1. The Plaintiff, Roger Wells, is the Personal Administrator of the Estate of Sarah Frances Wells. (See attached Exhibit "A").
2. That Sarah Frances Wells, deceased, was a resident of Etowah County, Alabama at the time of the incident made the basis of this complaint.
3. The Defendant, Howard Wells, is over the age of 21 years old and is a resident of Alabama and was at the time of the incident made the basis of this complaint.
4. That fictitious parties A thru Z who may be party to this suit, have not been identified at this time. They will be revealed when they are ascertained.
5. That this Court has proper jurisdiction over this cause of action.

COUNT ONE

6. Plaintiff avers that on or about August 3, 2007, a Warranty Deed conveying certain real estate to the Defendant was allegedly signed by Sarah Frances. Wells. (See attached Exhibit "B").
7. That the Defendant **financially exploited** Sarah Frances Wells by coercing and unduly influencing her to execute said Warranty Deed.
8. That Sarah Frances Wells was mentally incapacitated to the extent that she was unable to understand and comprehend the nature and complexity of the transactions involving the conveyance of real property. (See attached Exhibit "C")
9. That said conveyance is voidable in accordance with [Alabama Code Section 8-9-12](#).

WHEREFORE, Plaintiff prays for judgment against the Defendant, voiding the conveyance to Defendant.

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PLAINTIFF

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